UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/537,086	03/29/2000	David N. Feldman	2509/60	7336

				EXAMINER
26646	7590	10/09/2003		SHERR, CRISTINA O

KENYON & KENYON
ONE BROADWAY
NEW YORK, NY 10004

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/537,086	FELDMAN ET AL.
	Examiner	Art Unit
	Cristina O Sherr	3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-97_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-97_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1.   This communication is in response to Applicant's Amendment received 23 July

2003. Claims 1-97 are pending in this case.

Response to Arguments

2.   Applicant's arguments filed 16 July 2003 have been fully considered but they are

not persuasive. Applicant argues that the cited reference, Ball, does not describe

receiving a data object and encrypted network address information from a server, or

determining whether said decrypted network address information corresponds to a

network address of said server, and thus the rejection of claims 1-92 should be

traversed.   Applicant's attention is respectfully directed to Ball et al (US 6,502,079B1),

Col 2 ln 60 – col 3 ln 67, and col 4 ln 18-36.

Claim Rejections - 35 USC § 102

> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

3.   Claims 1 – 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball et

all (US 6,502,079B1).

4.   Regarding claim 1 –

Ball discloses a method for controlling the use of a data object using encrypted network

address information, comprising the steps of: receiving a data object and encrypted

network address information from a server; playing the contents of said data object;

decrypting said encrypted network address information; determining whether said

decrypted network address information corresponds to a network address of said

server; and if said correspondence does not exist, ceasing to play the contents of said

data object (Col 2 ln 60 – col 3 ln 67).

5.   Regarding claim 2 –

Ball discloses the method of claim 1 wherein said network address information is a

Uniform Resource Locator (Col 2 ln 60 – col 3 ln 67).

6.   Regarding claim 3 –

Ball discloses the method of claim 1 wherein said network address information includes

a domain name (Col 2 ln 60 – col 3 ln 67).

7.   Regarding claim 4 –

Ball discloses the method of claim 1 wherein said network address information includes

a directory name (Col 2 ln 60 – col 3 ln 67).

8.   Regarding claim 5 –

Ball discloses the method of claim 1 wherein said network address information includes

an Internet Protocol address (Col 2 ln 60 – col 3 ln 67).

9.   Regarding claim 6 –

Ball discloses the method of claim 1 wherein said decrypting step employs the public

key of a public/private key pair to decrypt said encrypted network address information

(Col 2 ln 60 – col 3 ln 67).

10.   Regarding claim 7 –

Ball discloses the method of claim 1 wherein said decrypting step employs a digital signature scheme to decrypt said encrypted network address information (Col 2 ln 60 – col 3 ln 67).

11.   Regarding claim 8 –

Ball discloses the method of claim 1 wherein said encrypted network address information is included in said data object (Col 2 ln 60 – col 3 ln 67).

12.   Regarding claim 9 –

Ball discloses the method of claim 1 wherein said encrypted network address information is included in a world wide web page residing on said server (Col 2 ln 60 – col 3 ln 67).

13.   Regarding claim 10 –

Ball discloses the method of claim 1 wherein the encrypted network address information also includes license information (Col 2 ln 60 – col 3 ln 67).

14.   Regarding claim 11 –

Ball discloses the method of claim 10 wherein the license information includes an expiration date (Col 2 ln 60 – col 3 ln 67).

15.   Regarding claim 12 -

Ball discloses the method of claim 1 further comprising the steps of: storing logging information about said data object; and periodically sending said logging information to a remote network location (Col 2 ln 60 – col 3 ln 67).

16.   Regarding claim 13 –

Ball discloses the method of claim 12 wherein said logging information includes the

network address information (Col 2 ln 60 – col 3 ln 67).

17.   Regarding claim 14 –

Ball discloses the method of claim 12 wherein said logging information includes

information about the individual who requested the data object (Col 2 ln 60 – col 3 ln

67).

18.   Claims 15 – 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball

et all (US 6,502,079B1).

19.   Regarding claim 15 –

Ball discloses a method for controlling the playing of content using encrypted network

address information, comprising the steps of: receiving a data object and encrypted

network address information from a first server; playing the contents of said data object;

decrypting said encrypted network address information; receiving a plurality of network

addresses from a second server corresponding to said decrypted network address

information; searching said plurality of network addresses for a network address of said

first server; and if said search fails, ceasing to play the contents of said data object (Col

2 ln 60 – col 3 ln 67).

20.   Regarding claim 16 –

Ball discloses the method of claim 15 further comprising the steps of: storing logging

information about said data object; and periodically sending said logging information to

a third server (Col 2 ln 60 – col 3 ln 67).

21.   Regarding claim 17 –

Ball discloses the method of claim 16 wherein said logging information includes the

network address information (Col 2 ln 60 – col 3 ln 67).

22.   Regarding claim 18 –

Ball discloses the method of claim 16 wherein said logging information includes

information about the individual who requested the data object (Col 2 ln 60 – col 3 ln

67).

23.   Regarding claim 19 –

Ball discloses the method of claim 15 wherein said network address information is a

Uniform Resource Locator (Col 2 ln 60 – col 3 ln 67).

24.   Regarding claim 20 –

Ball discloses the method of claim 15 wherein said network address information

includes an Internet Protocol address (Col 2 ln 60 – col 3 ln 67).

25.   Regarding claim 21 –

Ball discloses the method of claim 15 wherein said decrypting step employs the public

key of a public/private key pair to decrypt said encrypted network address information

(Col 2 ln 60 – col 3 ln 67).

26.   Regarding claim 22 –

Ball discloses the method of claim 15 wherein said decrypting step employs a digital

signature scheme to decrypt said encrypted network address information (Col 2 ln 60 –

col 3 ln 67).

27.   Regarding claim 23 –

Ball discloses the method of claim 15 wherein said encrypted network address

information is included in said data object (Col 2 ln 60 – col 3 ln 67).

28.   Regarding claim 24 –

Ball discloses the method of claim 15 wherein said encrypted network address

information is included in a world wide web page residing on said server (Col 2 ln 60 –

col 3 ln 67).

29.   Regarding claim 25 –

Ball discloses the method of claim 15 wherein the encrypted network address

information also includes license information (Col 2 ln 60 – col 3 ln 67).

30.   Regarding claim 26 –

Ball discloses the method of claim 25 wherein the license information includes an

expiration date (Col 2 ln 60 – col 3 ln 67).

31.   Claims 27 - 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball

et all (US 6,502,079B1).

32.   Regarding claim 27 –

Ball discloses a method for controlling the playing of content using encrypted network

address information, comprising the steps of: receiving a data object and encrypted

network address information from a server; playing the contents of said data object;

decrypting said encrypted network address information; searching a plurality of network

addresses for a network address corresponding to said decrypted network address

information; and if said search succeeds, ceasing to play the contents of said data

object (Col 2 ln 60 – col 3 ln 67).

33.   Regarding claim 28 –

Ball discloses the method of claim 27 wherein said network address information is a

Uniform Resource Locator (Col 2 ln 60 – col 3 ln 67).

34.   Regarding claim 29 –

Ball discloses the method of claim 27 wherein said network address information

includes an Internet Protocol address (Col 2 ln 60 – col 3 ln 67).

35.   Regarding claim 30 –

Ball discloses the method of claim 27 wherein said decrypting step employs the public

key of a public/private key pair to decrypt said encrypted network address information

(Col 2 ln 60 – col 3 ln 67).

36.   Regarding claim 31 –

Ball discloses the method of claim 27 wherein said decrypting step employs a digital

signature scheme to decrypt said encrypted network address information (Col 2 ln 60 –

col 3 ln 67).

37.   Regarding claim 32 –

Ball discloses the method of claim 27 wherein said encrypted network address

information is included in said data object (Col 2 ln 60 – col 3 ln 67).

38.   Regarding claim 33 –

Ball discloses the method of claim 27 wherein said encrypted network address

information is included in a world wide web page residing on said server (Col 2 ln 60 –

col 3 ln 67).

39.   Claims 34 - 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball

et all (US 6,502,079B1).

40.   Regarding claim 34 --

Ball discloses a method for calculating license fees for client software based on the

network address of the content provider, comprising the steps of receiving a plurality of

records from a plurality of software clients wherein each record includes a network

address; determining the number of records of said plurality of records that include a

particular network address; and calculating a license fee for said particular network

address based on said number of records (Col 2 In 60 -- col 3 In 67).

41.   Regarding claim 35 --

Ball discloses the method of claim 34 further comprising the step of

selecting said particular network address from the plurality of network addresses

included in said plurality of records (Col 2 In 60 -- col 3 In 67).

42.   Regarding claim 36 --

Ball discloses the method of claim 35 further comprising the step of

repeating said determining and said calculating steps until a license fee has been

calculated for each unique network address that is included in said plurality of records

(Col 2 In 60 -- col 3 In 67).

43.   Regarding claim 37 --

Ball discloses the method of claim 36 wherein if said number of records that include

said particular network address is less than a predesignated value, then the license fee

is set to zero (Col 2 In 60 -- col 3 In 67).

44.   Regarding claim 38 –

Ball discloses the method of claim 35 wherein if said number of records that include

said particular network address is less than a predesignated value, then the license fee

is set to zero (Col 2 In 60 – col 3 In 67).

45.   Claims 39 - 43 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball

et all (US 6,502,079B1).

46.   Regarding claim 39 –

Ball discloses a system for calculating software licensing fees, comprising: a plurality of

software clients; a plurality of content servers; and a billing server, wherein each of said

plurality of software clients downloads and plays content from said plurality of content

servers, logs information about the content played, and sends said logged information

to said billing server; and said billing server uses the logged information received from

said plurality of software clients to calculate the number of times that content from each

content server was played and uses said number of times to calculate a license fee to

be charged to the entity that operates the content server (Col 2 In 60 – col 3 In 67).

47.   Regarding claim 40 –

Ball discloses the system of claim 39 wherein said logged information includes a

network address for the content server from which the content was downloaded (Col 2

In 60 – col 3 In 67).

48.   Regarding claim 41 –

Ball discloses the system of claim 39 wherein said logged information includes

information about the user of the client software (Col 2 In 60 – col 3 In 67).

49.   Regarding claim 42 –

Ball discloses the system of claim 39 wherein said client software verifies that the

content server from which the content has been downloaded has agreed to a set of

licensing terms (Col 2 ln 60 – col 3 ln 67).

50.   Regarding claim 43 –

Ball discloses the system of claim 42 wherein a public key encryption scheme is used

by said client software to perform the verification (Col 2 ln 60 – col 3 ln 67).

51.   Claims 44 - 59 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball

et all (US 6,502,079B1).

52.   Regarding claim 44 –

Ball discloses a method for controlling the playing of content using encrypted network

address information, comprising the steps of: receiving a data object and encrypted

network address information from a server; decrypting said encrypted network address

information; determining whether said decrypted network address information

corresponds to a network address of said server; and if said correspondence does exist,

playing the contents of said data object (Col 2 ln 60 – col 3 ln 67).

53.   Regarding claim 45 –

Ball discloses the method of claim 44 further comprising the step of:

if said correspondence does not exist, playing the contents of said data object in a

diminished capacity (Col 2 ln 60 – col 3 ln 67).

54.   Regarding claim 46 –

Ball discloses the method of claim 44 further comprising the step of if said

correspondence does not exist, playing the contents of said data object with diminished

quality (Col 2 In 60 – col 3 In 67).

55.   Regarding claim 47 –

Ball discloses the method of claim 44 further comprising the step of if said

correspondence does not exist, playing the contents of said data object with diminished

functionality (Col 2 In 60 – col 3 In 67).

56.   Regarding claim 48 –

Ball discloses the method of claim 44 further comprising the steps of: storing logging

information about said data object; and periodically sending said logging information to

a second server (Col 2 In 60 – col 3 In 67).

57.   Regarding claim 49 –

Ball discloses the method of claim 48 wherein said logging information includes the

network address information (Col 2 In 60 – col 3 In 67).

58.   Regarding claim 50 –

Ball discloses the method of claim 48 wherein said logging information includes

information about the individual who requested the data object (Col 2 In 60 – col 3 In

67).

59.   Regarding claim 51 –

Ball discloses the method of claim 45 further comprising the steps of: storing logging

information about said data object; and periodically sending said logging information to

a second server (Col 2 In 60 – col 3 In 67).

60.   Regarding claim 52 –

Ball discloses the method of claim 51 wherein said logging information includes the

network address information (Col 2 ln 60 – col 3 ln 67).

61.   Regarding claim 53 –

Ball discloses the method of claim 51 wherein said logging information includes

information about the individual who requested the data object (Col 2 ln 60 – col 3 ln

67).

62.   Regarding claim 54 –

Ball discloses the method of claim 45 wherein said network address information is a

Uniform Resource Locator (Col 2 ln 60 – col 3 ln 67).

63.   Regarding claim 55 –

Ball discloses the method of claim 45 wherein said network address information

includes an Internet Protocol address (Col 2 ln 60 – col 3 ln 67).

64.   Regarding claim 56 –

Ball discloses the method of claim 45 wherein said decrypting step employs the public

key of a public/private key pair to decrypt said encrypted network address information

(Col 2 ln 60 – col 3 ln 67).

65.   Regarding claim 57 –

Ball discloses the method of claim 45 wherein said decrypting step employs a digital

signature scheme to decrypt said encrypted network address information (Col 2 ln 60 –

col 3 ln 67).

66.   Regarding claim 58 –

Ball discloses the method of claim 45 wherein said encrypted network address

information is included in said data object (Col 2 In 60 – col 3 In 67).

67.   Regarding claim 59 –

Ball discloses the method of claim 45 wherein said encrypted network address

information is included in a world wide web page residing on said server (Col 2 In 60 –

col 3 In 67).

68.   Claims 60 - 73 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball

et all (US 6,502,079B1).

69.   Regarding claim 60 –

Ball discloses an article of manufacture comprising a computer-readable medium

having stored thereon instructions adapted to be executed by a processor, the

instructions which, when executed, define a series of steps to be used to control the

playing of the contents of a data object, said steps comprising: receiving a data object

and encrypted network address information from a server; decrypting said encrypted

network address information; determining whether said decrypted network address

information corresponds to a network address of said server; and if said

correspondence exists, playing the contents of said data object (Col 2 In 60 – col 3 In

67).

70.   Regarding claim 61 –

Ball discloses the article of manufacture of claim 60 further comprising the step of-.

if said correspondence does not exist, playing the contents of said data object with

diminished quality (Col 2 In 60 – col 3 In 67).

71.   Regarding claim 62 –

Ball discloses the article of manufacture of claim 60 further comprising the step of

if said correspondence does not exist, playing the contents of said data object with

diminished functionality (Col 2 ln 60 – col 3 ln 67).

72.   Regarding claim 63 –

Ball discloses the article of manufacture of claim 60 wherein said series of steps further

comprise the steps of: storing logging information about said data object; and

periodically sending said logging information to a second server (Col 2 ln 60 – col 3 ln

67).

73.   Regarding claim 64 –

Ball discloses the article of manufacture of claim 63 wherein said logging information

includes the network address information (Col 2 ln 60 – col 3 ln 67).

74.   Regarding claim 65 –

Ball discloses the article of manufacture of claim 63 wherein said logging information

includes information about the user of the article of manufacture (Col 2 ln 60 – col 3 ln

67).

75.   Regarding claim 66 –

Ball discloses the article of manufacture of claim 60 wherein said network address

information is a Uniform Resource Locator (Col 2 ln 60 – col 3 ln 67).

76.   Regarding claim 67 –

Ball discloses the article of manufacture of claim 60 wherein said network address

information includes an Internet Protocol address (Col 2 ln 60 – col 3 ln 67).

77.   Regarding claim 68 –

Ball discloses the article of manufacture of claim 60 wherein said decrypting step

employs the public key of a public/private key pair to decrypt said encrypted network

address information (Col 2 In 60 – col 3 In 67).

78.   Regarding claim 69 –

Ball discloses the article of manufacture of claim 60 wherein said decrypting step

employs a digital signature scheme to decrypt said encrypted network address

information (Col 2 In 60 – col 3 In 67).

79.   Regarding claim 70 –

Ball discloses the article of manufacture of claim 60 wherein said encrypted network

address information is included in said data object (Col 2 In 60 – col 3 In 67).

80.   Regarding claim 71 –

Ball discloses the article of manufacture of claim 60 wherein said encrypted network

address information is included in a world wide web page residing on said server (Col 2

In 60 – col 3 In 67).

81.   Regarding claim 72 –

Ball discloses the article of manufacture of claim 60 wherein the encrypted network

address information also includes license information (Col 2 In 60 – col 3 In 67).

82.   Regarding claim 73 –

Ball discloses the article of manufacture of claim 72 wherein the license information

includes an expiration date (Col 2 In 60 – col 3 In 67).

83.   Claims 74 - 80 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball

et all (US 6,502,079B1).

84.   Regarding claim 74 –

Ball discloses an article of manufacture comprising a computer-readable medium

having stored thereon instructions adapted to be executed by a processor, the

instructions which, when executed, define a series of steps to be used to control the

playing of the contents of a data object, said steps comprising: receiving a data object

and encrypted network address information from a server; playing the contents of said

data object; decrypting said encrypted network address information; searching a

plurality of network addresses for a network address corresponding to said decrypted

network address information; and if said search succeeds, ceasing to play the contents

of said data object (Col 2 In 60 – col 3 In 67).

85.   Regarding claim 75 –

Ball discloses the article of manufacture of claim 74 wherein said network address

information is a Uniform Resource Locator (Col 2 In 60 – col 3 In 67).

862.   Regarding claim 76 –

Ball discloses the article of manufacture of claim 74 wherein said network address

information includes an Internet Protocol address (Col 2 In 60 – col 3 In 67).

86.   Regarding claim 77 –

Ball discloses the article of manufacture of claim 74 wherein said decrypting step

employs the public key of a public/private key pair to decrypt said encrypted network

address information (Col 2 In 60 – col 3 In 67).

87.　　Regarding claim 78 –

Ball discloses the article of manufacture of claim 74 wherein said decrypting step

employs a digital signature scheme to decrypt said encrypted network address

information (Col 2 ln 60 – col 3 ln 67).

88.　　Regarding claim 79 –

Ball discloses the article of manufacture of claim 74 wherein said encrypted network

address information is included in said data object (Col 2 ln 60 – col 3 ln 67).

89.　　Regarding claim 80 –

Ball discloses the article of manufacture of claim 74 wherein said encrypted network

address information is included in a world wide web page residing on said server (Col 2

ln 60 – col 3 ln 67).

90.　　Claims 81 - 87 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball

et all (US 6,502,079B1).

91.　　Regarding claim 81 –

Ball discloses an article of manufacture comprising a computer-readable medium

having stored thereon instructions adapted to be executed by a processor, the

instructions which, when executed, define a series of steps to be used to control the

playing of the contents of a data object, said steps comprising: receiving a data object

and encrypted network address information from a first server; playing the contents of

said data object; decrypting said encrypted network address information; receiving a

plurality of network addresses from a second server corresponding to said decrypted

network address information; searching said plurality of network addresses for a

network address of said first server; and if said search fails, ceasing to play the contents

of said data object (Col 2 ln 60 – col 3 ln 67).

92.   Regarding claim 82 –

Ball discloses the article of manufacture of claim 81 wherein said network address

information is a Uniform Resource Locator (Col 2 ln 60 – col 3 ln 67).

93.   Regarding claim 83 –

Ball discloses the article of manufacture of claim 81 wherein said network address

information includes an Internet Protocol address (Col 2 ln 60 – col 3 ln 67).

94.   Regarding claim 84 –

Ball discloses the article of manufacture of claim 81 wherein said decrypting step

employs the public key of a public/private key pair to decrypt said encrypted network

address information (Col 2 ln 60 – col 3 ln 67).

95.   Regarding claim 85 –

Ball discloses the article of manufacture of claim 81 wherein said decrypting step

employs a digital signature scheme to decrypt said encrypted network address

information (Col 2 ln 60 – col 3 ln 67).

96.   Regarding claim 86 –

Ball discloses the article of manufacture of claim 81 wherein said encrypted network

address information is included in said data object (Col 2 ln 60 – col 3 ln 67).

97.   Regarding claim 87 –

Ball discloses the article of manufacture of claim 81 wherein said encrypted network

address information is included in a world wide web page residing on said server (Col 2

ln 60 – col 3 ln 67).

98.   Claims 88 - 89 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball

et all (US 6,502,079B1).

99.   Regarding claim 88 –

Ball discloses an article of manufacture comprising a computer-readable medium

having stored thereon instructions adapted to be executed by a processor, the

instructions which, when executed, define a series of steps to be used to calculate

license fees for client software based on the network address of the content provider,

said steps comprising: receiving a plurality of records from a plurality of software clients

wherein each record includes a network address; determining the number of records of

said plurality of records that include a particular network address; and calculating a

license fee for said particular network address based on said number of records (Col 2

ln 60 – col 3 ln 67).

100.   Regarding claim 89 –

Ball discloses the article of manufacture of claim 88, wherein said series of steps further

comprise the steps of: selecting said particular network address from the plurality of

network addresses included in said plurality of records; and repeating said determining

and said calculating steps until a license fee has been calculated for each unique

network address that is included in said plurality of records (Col 2 ln 60 – col 3 ln 67).

101.   Claims 90 - 97 are rejected under 35 U.S.C. 102(e) as being anticipated by Ball

et all (US 6,502,079B1).

102.   Regarding claim 90 –

Ball discloses a method for controlling the use of a data object using network address

information, comprising the steps of receiving a data object and network address

information from a server; playing the contents of said data object; sending a message

to a verification server containing said network address information; receiving a

response from said verification server; and if said response is negative, ceasing to play

the contents of said data object (Col 2 ln 60 – col 3 ln 67).

103.   Regarding claim 91 –

Ball discloses the method of claim 90 wherein said network address information is a

Uniform Resource Locator (Col 2 ln 60 – col 3 ln 67).

104.   Regarding claim 92 –

Ball discloses the method of claim 90 wherein said network address information

includes a domain name (Col 2 ln 60 – col 3 ln 67).

105.   Regarding claim 93 –

Ball discloses the method of claim 90 wherein said network address information

includes a directory name (Col 2 ln 60 – col 3 ln 67).

106.   Regarding claim 94 –

Ball discloses the method of claim 90 wherein said network address information

includes an Internet Protocol address (Col 2 ln 60 – col 3 ln 67).

107.   Regarding claim 95 –

Ball discloses the method of claim 90 further comprising the steps of: storing logging information about said data object; and periodically sending said logging information to a remote network location (Col 2 In 60 – col 3 In 67).

108.   Regarding claim 96 –

Ball discloses the method of claim 95 wherein said logging information includes the network address information (Col 2 In 60 – col 3 In 67).

109.   Regarding claim 97 –

Ball discloses the method of claim 95 wherein said logging information includes information about the individual who requested the data object (Col 2 In 60 – col 3 In 67).

110.   Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

111.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

112.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

113.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cristina O Sherr whose telephone number is 703-305-

0625. The examiner can normally be reached on Monday through Friday 8:30 to 5:00.

114.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Trammell can be reached on 703-305-9768. The fax phone number

for the organization where this application or proceeding is assigned is (703) 872-9306.

115.   Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-
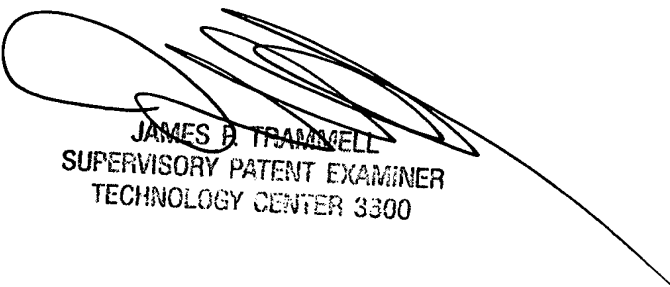
3900.

***

JAMES B. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3300